

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,  
Plaintiff (s),

vs.

KEVIN SALISBURY,

Defendant.

2:13-CR-0062-JCM-PAL

MINUTES OF THE COURT

DATED: JULY 27, 2015

THE HONORABLE JAMES C. MAHAN UNITED STATES DISTRICT JUDGE

DEPUTY CLERK DAVID OAKES COURT REPORTER KATHY EISMANN

COUNSEL FOR PLAINTIFF(S) ALEXANDRA MICHAEL, AUSA

COUNSEL FOR DEFENDANT(S) RICHARD TANASI, CJA

**MINUTES OF PROCEEDINGS: JURY TRIAL (DAY ONE)**

The Court convened at 9:00 a.m., outside the presence of the jurors.

The court inquired from Mr. Tanasi if he had an opportunity to review the governments motion in limine filed on Friday. Mr. Tanasi stated he had and had no objections to the motion. The court stated it would grant that motion in limine. Mr. Tanasi informed the court that his client is still neglecting to talk with him. The court canvassed Mr. Salisbury, however Mr. Salisbury refused to answer the court. The court questioned Mr. Salisbury if he would like to change into a clean t-shirt, with no response from Mr. Salisbury. After recessing the defendant agreed to wear a clean t-shirt. *(See transcript for details of arguments).*

The court reconvened at 9:50 a.m., in the presence of the jury.

The Court addressed the forty-five jurors. The Clerk was directed to administer the oath.

Forty-five prospective jurors are called and *voir dire* was conducted from 10:10 a.m., to 11:25 a.m. Peremptories are made and the following jurors are selected and sworn: **REDACTED.**

Court recessed at 11:30 a.m. Jury was admonished and excused.

Court reconvened at 11:40 a.m., in the presence of the jury. Parties stipulated to their presence.

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Opening statements are made by Ms. Michael on behalf of the government from 11:45 a.m., to 11:55 a.m.

Opening statements are made by Mr. Tanasi on behalf of the defendant from 11:55 a.m., to 12:00 p.m.

Court recessed for lunch at 12:00 p.m. Jury was admonished and excused.

Court reconvened at 1:20 p.m., in the presence of the jury. Parties stipulated to their presence.

**USMS LARRY ECLEVIA**, is called to the stand, sworn and testified on direct examination by Ms. Michael, ***governments' exhibit #1 is marked and admitted into evidence***, cross examination by Mr. Tanasi, re-direct examination by Ms. Michael, then is excused.

**GOVERNMENT RESTS:**

**DEFENDANT HAS NO WITNESSES:**

**GOVERNMENT HAS NO REBUTTAL WITNESSES:**

Court recessed at 1:50 p.m. Jury was admonished and excused.

Court reconvened at 2:10 p.m., outside the presence of the jury. Mr. Tanasi informed the court that his client may be interested in a plea deal and that the government is checking with Ms. Michael's superiors to see if that's possible.

Court recessed at 2:15 p.m.

Court reconvened at 2:20 p.m., outside the presence of the jury. The court inquired from counsel as to the status of Mr. Salisbury changing his plea. Mr. Tanasi stated Ms. Michael's superiors have not given permission as of yet, but that the settling of jury instructions can commence.

Both parties stipulated in open court that the jury instructions that are to be given have been settled upon.

Court recessed at 2:25 p.m.

Court reconvened at 2:30 p.m., in the presence of the jury. Parties stipulated to their presence. Court read the jury instructions to the jurors.

Closing arguments are made on behalf of the government by Ms. Michael from 2:50 p.m., to 3:05 p.m.

Closing arguments are made on behalf of the defendant by Mr. Tanasi from 3:05 p.m., to 3:15 p.m.

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Court directed the clerk to administer the oath to the bailiff.

Jury was directed to start their deliberations at 3:20 p.m.

Court recessed at 3:20 p.m. Jury was admonished and excused.

Court reconvened at 4:00 p.m., in the presence of the jury. Parties stipulated to their presence.

The jury foreperson informed the court they would like to view the cd marked governments' exhibit #1.

The jury viewed exhibit #1 in open court.

Court recessed at 4:15 p.m. Jury was admonished and excused.

Court reconvened at 4:20 p.m., in the presence of jury. Parties stipulated to their presence.

Jury notified the court that they had reached a verdict.

Outside the presence of the jury the government put on the record that the defendant was in prison attire throughout the trial, and that he showed his handcuffs on the table. The court made note of that. Ms. Michael also stated the reason for the shackles and handcuffs were to insure the safety of court personnel and the jurors.

Court directed the clerk to read the verdict in open court.

Defendant is found guilty as to count one (1) of the indictment. {See verdict form attached}

IT IS HEREBY ORDERED the imposition of sentencing of Kevin Salisbury is set for **Monday, October 26, 2015 at 11:00 a.m.**

The Court adjourned at 4:00 p.m.

LANCE S. WILSON, CLERK  
U.S. DISTRICT COURT

BY: /S/  
David Oakes, Deputy Clerk